

REMARKS

At the time of the First Office Action dated July 27, 2007, claims 1-20 were pending and rejected in this application. Independent claims 1, 8-9, 14, and 20 have been amended to clarify the limitations recited therein. On page 2 of the First Office Action, the Examiner objected to claims 2, 8, and 14, and Applicants have amended these claims. However, with regard to the Examiner's objections to claims 12 and 20, Applicants respectfully disagree that the language of the claims is unclear. For example, claims 20 previously recites "encoding a string," which provides proper antecedent basis for "said encoded string."

**CLAIMS 1, 9-11, AND 13 ARE REJECTED UNDER 35 U.S.C. § 102 AS BEING ANTICIPATED
BY WOLFE, U.S. PATENT NO. 6,397,246**

On pages 3 and 4 of the First Office Action, the Examiner asserted that Wolfe discloses the invention corresponding to that claimed. This rejection is respectfully traversed.

The factual determination of anticipation under 35 U.S.C. § 102 requires the identical disclosure, either explicitly or inherently, of each element of a claimed invention in a single reference.¹ Moreover, the anticipating prior art reference must describe the recited invention with sufficient clarity and detail to establish that the claimed limitations existed in the prior art and that such existence would be recognized by one having ordinary skill in the art.² As part of this analysis, the Examiner must (a) identify the elements of the claims, (b) determine the

¹ *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); *Perkin-Elmer Corp. v. Computervision Corp.*, 732 F.2d 888, 894, 221 USPQ 669, 673 (Fed. Cir. 1984).

² See *In re Spada*, 911 F.2d 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); *Diversitech Corp. v. Century Steps, Inc.*, 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

meaning of the elements in light of the specification and prosecution history, and (c) identify corresponding elements disclosed in the allegedly anticipating reference.³ This burden has not been met.

Claims 1, 9, and 13

At the outset, Applicants note that independent claims 1, 9, and 13 are directed to the concept of a method operating in a markup language document delivery system that determines the operation of content blocking logic. To teach this limitation, on page 3 of the First Office Action, the Examiner asserted "i.e., webpage." However, how a "webpage" identically discloses this limitation is entirely unclear to Applicants. After reviewing Wolfe, Applicants have been unable to find any readily apparent teachings in Wolfe as to content blocking. As such, it appears that the Examiner's primary reference of Wolfe is unrelated to the claimed invention.

Moreover, the Examiner's assertion regarding "webpage" evidences a confusion as to how/where content blocking occurs. For example, the webpage would not provide the content blocking logic since it is the webpage itself that provides the content. Instead, content blocking logic typically resides at the client (e.g., in a browser or independent blocking software) or at some intermediary between the client and the markup language document delivery system. Thus, one having ordinary skill in the art would recognize that a webpage would not include content blocking logic.

³ Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

Applicants also respectively disagree with the Examiner's assertion that claim 9 recites identical limitations to that of claim 1 "and are distinguished only by statutory category." For example, claim 9 recites variable aliasing logic, which is not found in claim 1.

Claim 10

Regarding claim 10, the Examiner relied upon column 3, lines 40-44 to teach that the variable aliasing logic is communicatively coupled to a reverse proxy server. However, upon reviewing this passage, Applicants are unable to discover a teaching of a reverse proxy server or that the reverse proxy server is coupled to variable aliasing logic.

For above-described reasons, the Examiner has failed to establish that Wolfe identically discloses the claimed invention, as recited in claim 1, 9-11, and 13, within the meaning of 35 U.S.C. § 102. Applicants, therefore, respectfully submits that the imposed rejection of claims 1, 9-11, and 13 under 35 U.S.C. § 102 for anticipation based upon Wolfe is not factually viable and, hence, solicit withdrawal thereof.

**CLAIMS 2, 7-8, 14, AND 19-20 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS
BASED UPON WOLFE IN VIEW OF IWAMOTO ET AL., U.S. PATENT NO. 5,715,462 (HEREINAFTER
IWAMOTO)**

On pages 4-7 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Iwamoto to arrive at the claimed invention. This rejection is respectfully traversed.

Claims 2 and 14

Claims 2 and 14 recite "subsequent to said serving step, replacing said alias with a new alias," and to teach this limitation, the Examiner cited column 5, lines 45-55 of Wolfe.

Applicants respectfully disagree with the Examiner's analysis. The reference cited by the Examiner deals with updating system files in an OS system, which is completely unrelated to a method being performed in a markup language document delivery system for circumventing the operation of content blocking logic, as claimed. Also, the passage cited by the Examiner makes no mention of "replacing said alias with a new alias," as claimed. Instead, the passage cited by the Examiner refers to replacing files in a memory area.

Applicants, therefore, respectfully submit that the imposed rejection of claims 2, 7-8, 14, and 19-20 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Iwamoto is not viable, and hence, Applicants solicit withdrawal thereof.

**CLAIMS 3 AND 15 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED
UPON WOLFE IN VIEW OF BEAUMONT, U.S. PATENT PUBLICATION No. 2002/0169890**

On page 7 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Beaumont to arrive at the claimed invention. This rejection is respectfully traversed.

Claims 3 and 15 depend ultimately from independent claims 1 and 13, and Applicants incorporate herein the arguments previously advanced in traversing the imposed rejection of claims 1 and 13 under 35 U.S.C. § 102 for anticipation based upon Wolfe. The secondary reference to

Beaumont does not cure the argued deficiencies of Wolfe. Accordingly, even if one having ordinary skill in the art were motivated to modify Wolfe in view of Beaumont, the proposed combination of references would not yield the claimed invention. Applicants, therefore, respectfully submit that the imposed rejection of claims 3 and 15 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Beaumont is not viable, and hence, Applicants solicit withdrawal thereof.

**CLAIMS 4 AND 16 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED
UPON WOLFE IN VIEW OF META**

On page 8 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Meta to arrive at the claimed invention. This rejection is respectfully traversed.

Claims 4 and 16 depend ultimately from independent claims 1 and 13, and Applicants incorporate herein the arguments previously advanced in traversing the imposed rejection of claims 1 and 13 under 35 U.S.C. § 102 for anticipation based upon Wolfe. The secondary reference to Meta does not cure the argued deficiencies of Wolfe. Accordingly, even if one having ordinary skill in the art were motivated to modify Wolfe in view of Meta, the proposed combination of references would not yield the claimed invention. Applicants, therefore, respectfully submit that the imposed rejection of claims 4 and 16 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Meta is not viable, and hence, Applicants solicit withdrawal thereof.

**CLAIM 5 IS REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON WOLFE
IN VIEW OF CAI, U.S. PATENT PUBLICATION NO. 2004/0172468, AND PRABHAKAR ET AL., U.S.
PATENT PUBLICATION NO. 2005/0010662 (HEREINAFTER PRABHAKAR)**

On pages 8-10 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Cai and Prabhakar to arrive at the claimed invention. This rejection is respectfully traversed.

To teach the claimed "determining that content blocking has occurred when a difference between said references and said requests exceeds a threshold value," the Examiner relied upon paragraph [0042] of Prabhakar to teach this limitation. Applicants respectfully disagree. The paragraph in Prabhakar cited by the Examiner merely describes the general concept of tracking applications. However, completely absent from the Examiner's cited passage in Prabhakar is any mention of determining content blocking has occurred based upon a threshold value being exceeded. Applicants, therefore, respectfully submit that the imposed rejection of claim 5 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Cai and Prabhakar is not viable, and hence, Applicants solicit withdrawal thereof.

**CLAIM 6 IS REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON WOLFE
IN VIEW OF PRABHAKAR**

On pages 10 and 11 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Prabhakar to arrive at the claimed invention. This rejection is respectfully traversed.

Similar to claim 5, claim 6 is also directed to the concept of determining that content blocking has occurred. The Examiner's reliance upon paragraph [0043] of Prabhakar to teach this limitation is misplaced. The paragraph in Prabhakar cited by the Examiner merely describes determining when an application is in a redirect loop and not whether or not content blocking has occurred. Applicants, therefore, respectfully submit that the imposed rejection of claim 6 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Prabhakar is not viable, and hence, Applicants solicit withdrawal thereof.

**CLAIM 12 IS REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON WOLFE
IN VIEW OF OMOIGUI, U.S. PATENT NO. 6,694,352**

On pages 11-13 of the First Office Action, the Examiner concluded that one having ordinary skill in the art would have been impelled to modify Wolfe in view of Omoigui to arrive at the claimed invention. This rejection is respectfully traversed.

Claim 12 depends ultimately from independent claim 9, and Applicants incorporate herein the arguments previously advanced in traversing the imposed rejection of claim 9 under 35 U.S.C. § 102 for anticipation based upon Wolfe. The secondary reference to Omoigui does not cure the argued deficiencies of Wolfe. Accordingly, even if one having ordinary skill in the art were motivated to modify Wolfe in view of Omoigui, the proposed combination of references would not yield the claimed invention. Applicants, therefore, respectfully submit that the imposed rejection of claim 12 under 35 U.S.C. § 103 for obviousness based upon Wolfe in view of Omoigui is not viable, and hence, Applicants solicit withdrawal thereof.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Although Applicants believe that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction. (emphasis added)

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,

/Scott D. Paul/

Scott D. Paul

Registration No. 42,984

Steven M. Greenberg

Registration No. 44,725

Phone: (561) 922-3845

CUSTOMER NUMBER 46320